

REMARKS

I. INTRODUCTION

Claims 38 and 51 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Thus, claims 38-57 remain pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE 35 U.S.C. § 103 REJECTIONS SHOULD BE WITHDRAWN

Claims 38-57 have been rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,397,194 to Houvener et al. ("the Houvener patent") in view of U.S. Patent No. 5,910,988 to Ballard ("the Ballard patent"). (See 12/23/04 Office Action, p. 2).

The Houvener patent describes a data processing system configured to store and retrieve transaction documents (e.g., retail store receipts). (See the Houvener patent, col. 5, lines 24-27). The data processing system 1 consists of a scanner 6 for scanning a document 8 and transmitting the scanned document to a remote database site 20. (Id. at col. 6, lines 48-56; col. 7, lines 5-13). Upon a request of the scanned document, it "would be transmitted from the remote database site to the point of sale location where it could be displayed on a display device and printed using a printer incorporated into the point of sale system." (Id. at col. 10, lines 60-63). A merchant or a credit card processor can thereby obtain a copy of the document 8. (Id. at col. 10, lines 63-67).

The Ballard patent describes a system for processing electronic and paper transactions. (See the Ballard patent, col. 3, lines 24-29). The system 100 consists of a three-tier architecture: (1) a DAT 200 retrieves data from customer sites, (2) a DAC 400 retrieves data accumulated in the DAT 200 and (3) a DPC 600 retrieves data accumulated in the DAC 400. (Id. at col. 5, lines 1-6). Images and data (e.g., from receipts) are stored in a central location by the DPC 600. (Id.

at col. 5, lines 6-9). The images and data may then be retrieved by a user at a later time. (*Id.* at col. 21, lines 61-62).

Claim 38 of the present application recites a method including “receiving a transaction record including an electronically captured signature from a point-of-sale terminal” and “providing access by a user computer to the transaction record in the transaction database, wherein the transaction database restricts access by the user to the transaction records corresponding to the user.” That is, the transaction database may contain a plurality of records obtained at a plurality of point-of-sale terminals for a plurality of users. As such, when the user accesses the transaction database, the transaction database may restrict the user to view only the records which correspond to the individual user. (*See* Specification, p. 27, lines 10-16). The restricted access to the records in the transaction database may be accomplished by, for example, a log-in or password entered by the user. (*Id.* at p. 27, lines 10-16).

The Examiner has correctly stated that the Houvener patent does not disclose or suggest “providing access by a user computer to the transaction record in the transaction database, wherein the transaction database restricts access by the user to the transaction records corresponding to the user,” as recited in claim 38. The Examiner has further stated that the deficiencies of the Houvener patent are cured by the teachings of the Ballard patent, and that one of ordinary skill in the art would have been motivated to combine the teachings contained therein. (*See* 12/23/04 Office Action, p. 3).

The Ballard patent neither discloses nor suggests “receiving a transaction record including an electronically captured signature from a point-of-sale terminal” and “providing access by a user computer to the transaction record in the transaction database, wherein the transaction database restricts access by the user to the transaction records corresponding to the user.” As described above, the system of the Ballard patent includes a DataTreasury System Access Terminal (“DAT”) 200 located at customer sites and retrieving data therefrom. (*See* the Ballard patent, col. 5, lines 2-3, 28). For example, the DAT 200 consists of a DAT scanner 202

which “captures sales receipts from merchants, providing an off-site secure, reliable repository....” (*Id.* at col. 7, lines 25-26). However, the customer can only gain access to the repository via the DAT 200. Specifically, “[t]he DATs 200 act as the customer contact point to the suite of services provided by the DataTreasury System 100.” (*Id.* at col. 5, lines 29-31). The customer must return to the DAT 200 to access the receipt in the repository. That is, only the DAT 200 captures sales receipts, and only the DAT 200 provides access thereto. As such, it is respectfully submitted that the Ballard patent does not disclose or suggest “receiving a transaction record including an electronically captured signature *from a point-of-sale terminal*” and “*providing access by a user computer* to the transaction record in the transaction database, wherein the transaction database restricts access by the user to the transaction records corresponding to the user,” as recited in claim 38.

Furthermore, the Ballard patent neither discloses nor suggests “wherein the transaction database restricts access by the user *to the transaction records corresponding to the user*,” as recited in claim 28. The Ballard patent describes a relational database containing tables which can be searched by the DPC 600 via the DAT 200. That is, the customer can enter a search at the DAT 200 and the DPC 600 will mine the data from the database and generate a report. (See the Ballard patent, col. 21, lines 49-51). A data retrieval request is initiated when the a valid customer identifier is entered at the DAT 200, and continues as follows:

If the customer identifier is valid in step 906, the DPC 600 will obtain the customer security profile in step 908. In step 910, the DPC receives a customer retrieval request. In step 912, the DPC 600 determines whether the customer retrieval request is consistent with the customer security profile.

(*Id.* at col. 22, lines 1-6). A connection between “a customer retrieval request” and “a customer security profile” is mentioned, but the “customer security profile” is never defined. The only statement regarding the connection reads “the DPC 600 determines whether the customer retrieval request is consistent with the customer security profile.” (*Id.* at col. 22, lines 4-6). From this limited disclosure, it remains unclear what the “customer security profile” is and what access that gives the customer to data in the data base. There is no teaching or suggestion that

the customer security profile restricts access to transaction records corresponding to the user. Thus, it is respectfully submitted that the Ballard patent neither discloses nor suggests "providing remote access by the user to the transaction record in the transaction database, wherein the transaction database restricts access by the user to the transaction records corresponding to the user," as recited in claim 38.

Therefore, Applicant respectfully submits that neither the Houvener patent nor the Ballard patent, either alone or in combination, discloses or suggests "receiving a transaction record including an electronically captured signature from a point-of-sale terminal" and "providing access by a user computer to the transaction record in the transaction database, wherein the transaction database restricts access by the user to the transaction records corresponding to the user," as recited in claim 38. Because claims 39-50 depend from, and, therefore include all of the limitations of claim 38, it is respectfully submitted that these claims are allowable for the reasons stated above.

Claim 51 is directed to a system and comprises substantially the same limitations as claim 38, including "a point-of-sale terminal that generates a transaction record according to a transaction with a user" and "a transaction database accessible by a user computer that receives and stores the transaction record from the point-of-sale terminal over a network, wherein the transaction database restricts access by the user to the transaction records corresponding to the user." Thus, it is respectfully submitted that claim 51 is allowable for the same reasons as stated above with reference to claim 38. Because claims 52-57 depend from, and, therefore include all of the limitations of claim 51, it is respectfully submitted that these claims are allowable for the reasons stated above.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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